

REMARKS

Initially, applicant would like to express his appreciation to the Examiner for discussing the present application with applicant's representative on July 15, 2005. During the discussion, applicant's representative explained operation of the invention to the Examiner. The Examiner explained his interpretation of GUDJONNISON et al.

Claims 1 - 20 have been rejected under 35 U.S.C. 103(a) as being anticipated by GUDJONSSON et al. in view of MANBER et al. Applicant respectfully traverses.

Independent claim 1 requires a first message exchanging system that enables one-to-one message exchanges via a first interface. Page 21 and Fig. 10 provide examples of such a messenger application. The claim also requires a second message exchanging system that enables simultaneous message exchanges via a second interface. Page 21 and Fig. 8 offer examples of such a chat system. When the switch between systems occurs, the interface switches. Importantly, the two claimed message exchanging systems are different systems having different capabilities. The first system enables one-to-one message exchanges. The second system enables simultaneous message exchanges.

In contrast, GUDJONNISON et al. disclose a single message exchanging system that permits text chat conferencing between PCs. Although chat is permitted with only two parties, the fact of the matter is that only a single system is provided. A single interface is provided because GUDJONNISON et al. only provide a single message exchanging system for PC to PC exchanges. Each

portion the Examiner relies upon for the claimed first message exchanging system appears to describe GUDJONNISON et al.'s chat system. Similarly, each portion the Examiner relies upon for the claimed second message exchanging system also appears to describe the same chat system. Thus, switching between different interfaces of the different systems cannot occur because only a single system having a single interface is disclosed.

Although page 79, lines 18 – 22 describe multiple interfaces (for the same system): one for experienced users and one for inexperienced users, no description of or need for switching between these interfaces is provided. Page 85, lines 9 – 11 also describe the user interface, referring only to a single user interface.

MANBER et al. do not supply the deficiencies of GUDJONNISON et al. Therefore, because the applied references do not disclose or suggest multiple message exchange systems, claim 1 is believed to be patentably distinguishable from the applied references. In addition, because a different interface is not provided for each system (only a single system exists), there can be no teaching or suggestion of the claimed message exchange switching system.

Consequently, for at least these reasons it is requested that the Examiner withdraw the rejections of claim 1.

Independent claims 4, 7, 10, and 13 require enabling one-to-one message exchanges via a first interface. Fig. 10 provides an example of such a messenger application interface. The claims also require enabling simultaneous message exchanges via a second interface. Fig. 8 shows an example of such a

chat system interface. The claims also recite switching between the first interface and the second interface. Importantly, the two claimed interfaces are interfaces to different systems. The first interface enables one-to-one message exchanges. The second interface enables simultaneous message exchanges.

In contrast, GUDJONNISON et al. disclose a single interface for its text chat conferencing system. As noted above, page 79, lines 18 – 22 describe multiple interfaces: one for experienced users and one for inexperienced users. But, no description of switching between these interfaces is provided. There would be no need for a switch between the beginner and expert interface, especially in response to user action when a message is received, as claimed. Thus, switching between different interfaces is not disclosed. Merely adding another party to an ongoing chat is not believed to provide a different interface.

MANBER et al. do not supply the deficiencies of GUDJONNISON et al. Therefore, because the applied references do not disclose or suggest switching between multiple interfaces, claims 4, 7, 10, and 13 are believed to be patentably distinguishable from the applied references. Consequently, for at least these reasons it is requested that the Examiner withdraw the rejections of claims 4, 7, 10, and 13.

It is submitted that the Examiner's reasoning for combining the references improperly relies upon hindsight. That is, the only motivation is provided by the present invention. Neither reference is directed to switching between chat and messaging interfaces. For this additional reason, it is believed that the independent claims are allowable.

Dependent claims 2, 3, 5, 6, 8, 9, 11, 12, 14-20 are also believed to recite further patentable subject matter of the invention and therefore are also believed allowable over the prior art. As such, allowance of the dependent claims is deemed proper for at least the same reasons noted for the independent claims, in addition to reasons related to their own recitations. For example, claims 16 – 20 require display of a button in response to interruption of messaging. Selecting the button enables interface switching. Page 14 of GUDJONNISON et al., as best understood, discloses buttons for sending an invitation. The buttons are for a sender. In contrast, the claimed buttons are displayed on the receiving system, i.e., in response to interruption of messaging. Moreover, because GUDJONNISON et al. lack the claimed interface switching, they cannot disclose or suggest buttons that enable the claimed interface switching. Accordingly, applicant respectfully requests reconsideration of the outstanding rejections and an indication of the allowability of all of the claims in the present application.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,
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